

WBR 1452.215-80 Source Evaluation and Selection Procedures.

As prescribed in WBR 1415.406-5(a)(1), insert a provision substantially the same as the following:

SOURCE EVALUATION AND SELECTION PROCEDURES -- BUREAU OF RECLAMATION (AUG 1996)

The Government will evaluate proposals submitted under this solicitation, conduct negotiations (unless award is made without discussions on the basis of initial proposals in accordance with the Contract Award provision of this solicitation), and select a source for contract award in accordance with procedures contained in FAR Part 15, Department of the Interior Acquisition Regulation (DIAR) Part 1415 (48 CFR 1415) and Bureau of Reclamation Acquisition Regulation WBR Part 1415. These procedures are summarized as follows:

(a) *Technical evaluation.* A Technical Proposal Evaluation Committee has been established to objectively evaluate technical proposals in accordance with the Evaluation Factors for Award -- Bureau of Reclamation provision in Part IV, Section M of this solicitation. Technical proposals shall be submitted in accordance with the Technical Proposal Instructions -- Bureau of Reclamation provision in Part IV, Section L of this solicitation.

(b) *Cost or price evaluation.* An objective cost or price evaluation of contract pricing proposals will be made in accordance with the Evaluation Factors for Award provision in Part IV, Section M of this solicitation. Pricing proposals shall be submitted in accordance with the Contract Pricing Proposal Instructions -- Bureau of Reclamation provision in Part IV, Section L of this solicitation. Pursuant to FAR 15.608(a)(1), cost or price evaluation will be used to determine cost/price reasonableness and the offeror's understanding of, and ability to perform, the prospective contract.

(c) *Clarifications.* The Contracting Officer may communicate with an offeror for the sole purpose of eliminating minor irregularities, informalities, or apparent clerical mistakes in its proposal prior to the determination of competitive range (paragraph (d) of this provision). Clarification is accomplished through an explanation or substantiation of a proposal but does not give the offeror an opportunity to revise or modify its proposal, except to the extent that correction of apparent clerical mistakes result in a revision.

(d) *Competitive range.* Based on the results of the evaluation of technical and pricing proposals, the Contracting Officer will determine which proposals are in the competitive range for the purpose of conducting written or oral discussions. All proposals which the Contracting Officer determines have a reasonable chance of being selected for award will be included in the competitive range. At the earliest practicable time, the Contracting Officer shall notify, in writing, those offerors with proposals which no longer have a reasonable chance of being considered for award that their proposals are no longer eligible for award.

(e) *Written or oral discussions.*

(1) *Award without discussions.* Award of a contract on the basis of initial offers received, without discussions, may be made if Alternate II of the provision, Contract Award is included in this solicitation.

(2) *Award after discussions.* In accordance with the Contract Award provision of this solicitation, the Contracting Officer shall control all discussions with an offeror and shall:

(i) Advise an offeror of deficiencies in its proposal so that it is given an opportunity to satisfy Government requirements;

(ii) Attempt to resolve any uncertainties concerning technical or other terms and conditions of an offeror's proposal;

(iii) Resolve any suspected mistakes in a proposal by calling them to the offeror's attention as specifically as possible without disclosing information concerning other offerors' proposals or the evaluation process; and

(iv) Provide the offeror with a reasonable opportunity to submit any cost or price, technical, or other revisions to its proposal that may result from discussions.

(f) *Best and final offers.* Upon completion of discussions, the Contracting Officer shall issue to all offerors remaining in the competitive range a notice that discussions have been concluded and a notice that each offeror now has an opportunity to submit a best and final offer. The notice will contain a common cutoff date and time which allows a reasonable opportunity for submission of a written best and final offer. Proposal modifications received after this date and time are subject to the Late Submissions, Modifications, and Withdrawals of Proposals provision of this solicitation.

(g) *Preaward survey.* A Government survey activity may contact an offeror, or visit its facility, to obtain information for determining its financial resources and/or its technical capabilities to perform the work when available information is not sufficient for the Contracting Officer to make a determination regarding contractor responsibility as

required by FAR Subpart 9.1. Current financial statements and other information required to make this determination shall be made available to the survey activity. Information provided shall be protected from release or disclosure outside the Government, except as provided in FAR Subpart 24.2, Freedom of Information Act.

(h) *Organizational conflicts of interest.* Award will not be made to an apparent successful offeror when an organizational conflict of interest is determined to exist and cannot be avoided or mitigated, unless the Contracting Officer determines that award is in the best interest of the United States and a waiver is obtained pursuant to DIAR 1409.503 (48 CFR 1409.503).

(i) *Selection of awardee.* Award shall be made in accordance with Contract Award provision of this solicitation.

(j) *Postaward notice.* After contract award, unsuccessful offerors will be provided with written notice regarding contract award (including the information listed in FAR 15.1001(c)) by the Contracting Officer. Offerors receiving prior notice of exclusion from the competitive range under paragraph (d) of this provision will not receive this notice.

(k) *Debriefing.* The Contracting Officer will provide a debriefing to an unsuccessful offeror upon its written request. The debriefing will provide an offeror with the basis for the selection decision and contract award and include evaluation information regarding significant weak or deficient factors in the proposal which prevented its selection for award. The offeror may use this information to make improvements in proposals it submits in response to future competitive negotiated acquisitions. No information regarding the relative merits or technical standings of other offerors' proposals, the evaluation scoring, or other information that is not subject to release under the Freedom of Information Act will be disclosed to any offeror.

(End of provision)